

Town and Country Overlay Districts

Nantucket Zoning Bylaw sections 139-12E and 139-12F

****The following language was approved at the 2002 ATM and amended at the 2003 ATM****

- E. There is hereby established in the Town of Nantucket an overlay district entitled "Town Overlay District" as follows: **[Added 4-9-2002 ATM by Art. 37, AG approval 7-31-2002; amended 4-15-2003 ATM by Art. 26, AG approval 8-27-2003]**
- (1) The Town Overlay District shall be located as depicted on the map entitled "Town and Country Designations," dated January 2, 2002, prepared by the Nantucket Planning and Economic Development Commission, incorporated by reference and made a part hereof.
 - (2) The purpose of the Town Overlay District is to limit the spatial extent of growth within a district consistent with the traditional settlement pattern represented by the settled portion of Nantucket Town, except in the Residential Old Historic (ROH) District; to encourage development within the Town Overlay District where infrastructure already exists, or can be extended without undue expense; to create opportunities to produce housing affordable for year-round residents through infill development (development of existing vacant lots; lots produced by resubdivision; and addition of secondary dwellings) on existing roads serviced by water and sewer; and to create development patterns that are conducive to service by alternatives to the automobile, such as transit, and bicycle and pedestrian systems. The purpose of the Town Overlay District shall be considered by the Planning Board or Zoning Board of Appeals when determining the character and extent of site and infrastructure improvements to be required in a decision on an application for site plan approval pursuant to § 139-23 of this chapter. In addition to the standards of that section, the following standards shall apply to a proposed use or an expansion of an existing use subject to site plan review:
 - (a) Provision of Town water and sewer service, which shall be adequate to serve the proposed use;
 - (b) Road and drainage improvements shall be adequate to serve the proposed use;
 - (c) Bike and/or pedestrian systems shall be adequate to serve the proposed use, and reasonable measures shall be taken to provide connectivity to existing bike and pedestrian systems;
 - (d) The project minimizes parking demand and auto-dependency (i.e., by inducements employed by the applicant for the utilization of the NRTA seasonal shuttle system); and
 - (e) Consistency with the recommendations of any area plan endorsed by Town Meeting, such as the Mid-Island Area Plan, Sconset Area Plan, and Madaket Area Plan.
 - (3) Uses allowed or permitted in this district are the same as those uses allowed or permitted in the underlying zones.
- F. There is hereby established in the Town of Nantucket an overlay district entitled "Country Overlay District" as follows: **[Added 4-9-2002 ATM by Art. 37, AG approval 7-31-2002; amended 4-15-2003 ATM by Art. 26, AG approval 8-27-2003]**

- (1) The Country Overlay District shall be all the land within the limits of the Town of Nantucket other than land designated within the Town Overlay District as depicted on the map entitled "Town and Country Designations," dated January 2, 2002, prepared by the Nantucket Planning and Economic Development Commission, incorporated by reference and made part hereof. Uses allowed or permitted in this district are the same as those uses allowed or permitted in the underlying zone.
- (2) The purpose of the Country Overlay District is to discourage development and preserve areas characterized by traditional and historic rural land use patterns; to discourage the spread of disperse development patterns that promote automobile dependency, and are costly to build and maintain. The purpose of the Country Overlay District shall be considered by the Planning Board or Zoning Board of Appeals when determining the character and extent of site and infrastructure improvements to be required in a decision on an application for site plan approval pursuant to § 139-23 of this chapter. In addition to the standards of that section, the following standards shall apply to a proposed use or an expansion of an existing use subject to site plan review:
 - (a) If a new use, or an expansion of a preexisting use that adds 20% or more of the gross floor area or 1,000 square feet, of gross floor area, whichever is less, either subject to site plan review, a finding that the applicant has considered all practicable alternative sites, commensurate with the type, size, and cost of the project, available within the Town Overlay District and that no such practicable alternative exists;
 - (b) The project complies with the Nantucket Public Health Code;
 - (c) The project complies with the standards of § 139-12E(2)(b) through (e); and
 - (d) Finding that the project is not a major traffic generator, and will not substantially contribute to traffic generation and congestion.
- (3) Uses allowed or permitted in this district are the same as those uses allowed or permitted in the underlying zones.